IN THE HIGH COURT OF UTTARAKHAND

AT NAINITAL

Writ Petition No. 1647 (SS) of 2007

1. Purshotam Dutt Uniyal, S/o Sri Surya Mani, presently posted as Collection Peon, Tehsil – Ghansyali, District – Tehri Garhwal.

2. Ramesh Passed Maithani, S/o Sri Vatchaspati Maithani, presently posted as Collection Peon, Tehsil – Ghansyali, District – Tehri Garhwal.

3. Harsh Mani, S/o Sri Hoshiyaru, presently posted as Collection Peon, Tehsil – Ghansyali, District – Tehri Garhwal.

…….Petitioners.

Versus

1. State of Uttarakhand through its Secretary, Revenue, Dehradun.
2. The Chief Revenue Commissioner, Uttarakhand, Dehradun.
3. The Collector, Tehri Garhwal.

……. Respondents.

Hon'ble M.M. Ghildiyal, J

Heard Sri Anurag Bisaria, learned counsel for the petitioners and Sri N.P. Shah, learned Standing Counsel for State of Uttarakhand of behalf of respondents.

Learned counsel for the petitioners has submitted that petitioners no. 1 to 3 were appointed as collection Peon in District – Tehri Garhwal vide orders dated 23.2.1996, 05.07.1996 and 16.06.1992 respectively. Artificial breaks are being given to the petitioners though they are working against substantive post and work, which is being performed by he petitioners, is perennial in nature.

Learned counsel for the petitioners has further submitted that State of Uttarakhand vide order dated 09.06.2006 sanctioned 192 post of regular collection peons in the State of Uttarakhand, out of which 31 posts of Collection Peons were sanctioned for District – Tehri Garhwal. Combined seniority list of Seasonal Collection Amins, Seasonal Collection Peons and Assistant Wasil Banki Nawis in the District has already been prepared. Petitioners approached the authority concerned for their appointments in accordance with ruled, however, respondents have paid no heed consequently, petitioners are constrained to file present writ petition.

In the circumstances stated above, I think it just and proper to direct the petitioners to make representation before appropriate authority within a period of three weeks from today and the authority concerned is directed to take decision on the representation of the petitioners within a period of four weeks from the date of production of certified copy of this order along with representation.

With this direction, writ petition as well as stay application is disposed of. No order as to costs.

(M.M. Ghildiyal, J)

November 7, 2007
SKS